

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DAVID A. MCDOUGALL,

Plaintiff,

Civil No. 20-1499 (JRT/LIB)

v.

RESPONSE TO QUESTION 4

CRC INDUSTRIES, INC.,

Defendant.

In response to the jury's question, the Court provides the following answer:

Question: In regard to "Deliberate Disregard," is one act of deliberate indifference sufficient to find deliberate disregard, even if we identify other acts of concern and effort.

Answer: Not unless it meets the clear and convincing evidence standard as provided in the Court's additional instructions, reproduced below.

Clear and Convincing Evidence

The evidence must convince you that CRC acted with deliberate disregard for the rights or safety of others. You must have a firm belief, or be convinced there is a high probability, that CRC acted this way.

April 26, 2024
2:26 p.m.

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge

